

UNITED STATES DISTRICT COURT

for the

Western District of Texas

FILED

November 12, 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASUnited States of America
v.BY: kkc
DEPUTY

Case No. 1:21-mj-935-ML

FRANKLIN BARRETT SECHRIEST

Defendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 31, 2021 in the county of Travis in the
Western District of Texas, the defendant(s) violated:*Code Section*
18 U.S.C. § 844(i)*Offense Description*
Arson

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.*Complainant's signature*

THOMAS P. JOY, JR., Special Agent, FBI

Printed name and title☐ Sworn to before me and signed in my presence.☒ Sworn to telephonically and signed electronically.Date: 11/12/2021City and state: Austin, Texas*Judge's signature*

MARK LANE, United States Magistrate Judge

Printed name and title

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff.

v.

FRANKLIN BARRETT SECHRIEST,

Defendant.

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CRIMINAL NO. 1:21-mj-935-ML

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Thomas P. Joy, Jr., being duly sworn, depose and state as follows:

1. I have been employed as a Special Agent (SA) of the Federal Bureau of Investigation (FBI) since July 1999. I am currently assigned to the Public Corruption/Civil Rights White Collar squad located in the Austin Resident Agency of the San Antonio Field Office. As such, I investigate federal criminal violations related to complex financial crimes, public corruption and civil rights matters including color of law violations and hate crimes. Through formal and on the job training, I am experienced in crimes involving violations of civil rights. As a Federal Agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States. I have participated in the execution of numerous arrest warrants in cases involving crimes against civil rights and other federal crimes that fall within the FBI's investigative jurisdiction.

2. This affidavit is submitted in support of a criminal complaint against Defendant FRANKLIN BARRETT SECHRIEST, year of birth 2003, for violation of Title 18, United States Code, Section 844(i), which makes it a crime for anyone to maliciously damage or destroy by

means of fire any building used in interstate commerce or used in any activity affecting interstate commerce, or to attempt to do so.

3. This affidavit is based on my personal knowledge, as well as reports made by other law enforcement officers, including FBI special agents and Austin (Texas) Fire Department (AFD) investigators. Because this affidavit is being submitted for the limited purpose of establishing probable cause for the issuance of the Complaint, it does not contain every fact known to me or other law enforcement officers.

Facts

4. On or about October 31, 2021, at approximately 9:00 pm CDT, FRANKLIN BARRETT SECHRIEST set an intentional fire at religious real property of the Congregation Beth Israel synagogue located at 3901 Shoal Creek Blvd., Austin, Texas, in the Western District of Texas (hereinafter “Synagogue”).

5. AFD Arson investigators examined the scene and conducted witness interviews. AFD Arson investigators determined that the fire was intentionally set and thus an act of arson. AFD Arson Investigators also observed burn patterns consistent with the use of a liquid accelerant and ruled out all ignition sources except an open flame introduced by human means.

6. I reviewed surveillance videos from security cameras at the Synagogue recorded around 9:00 pm CDT on October 31, 2021. Video overlooking the Synagogue’s parking lot depicts a dark colored SUV attempt to park in the north parking lot of the Synagogue. The driver, a white male wearing green utility pants and a black shirt, later identified as Defendant SECHRIEST, got out of the vehicle. The vehicle then began to roll backward, requiring Defendant to jump back into the vehicle to stop the vehicle’s backward motion.

7. Defendant then left the vehicle a second time, leaving the driver's side door open, and walked around the front of the vehicle towards the Synagogue and out of view of the parking area security cameras.

8. In surveillance video from security cameras overlooking the walkway to the Synagogue administration office, Defendant, seen with a face covering and watch on his right wrist and carrying a green container in one hand – similar in size, shape, and color to a green five-gallon VP Racing Fuel utility jug – and a roll of toilet paper in the other hand, walked up a handicap ramp towards the Synagogue's administration office entrance. The five-gallon utility jug may have been full or near full, because Defendant leaned to one side while carrying the jug.

9. A few seconds later, the video shows Defendant walking back down the handicap ramp away from the administration office entrance, carrying the jug and toilet paper, and then walking along an adjacent pathway toward the front doors of the Synagogue sanctuary and out of view of the security camera.

10. Multiple surveillance videos then captured the distinct glow of a fire ignition appearing to come from the direction of the Synagogue sanctuary. Within seconds after the fire ignition, surveillance video from the parking area security camera shows Defendant jogging away from the direction of the Synagogue sanctuary and the ignited fire towards the open driver's side door of the SUV.

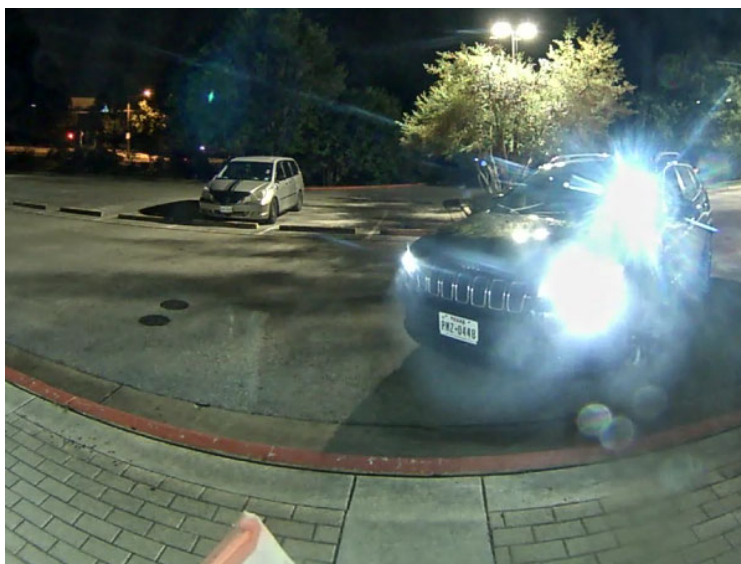
11. Surveillance video then shows Defendant putting the jug into the SUV, entering the SUV through the driver's side door, and remaining inside the stationary vehicle for several seconds. The SUV then went in reverse and departed the parking area.

12. Defendant appeared to be alone at the Synagogue during the entire time he was there on October 31, 2021, as no other persons were observed on surveillance footage.

13. I later observed surveillance video from the Synagogue recorded on October 28, 2021. Video from a parking lot camera showed a dark colored SUV, similar in appearance and body style to the SUV used by Defendant on October 31, 2021, enter the north parking lot closest to the Synagogue's sanctuary and drive away shortly thereafter. A few minutes later, the same vehicle appeared on video from a security camera covering the front entrance to the Synagogue's Child Development Center (CDC). The CDC is a building physically connected to the Synagogue structure.

14. Surveillance video showed the vehicle drive through the roundabout in front of the CDC, hit and park on the curb directly in front of the Child Development Center, and using what appeared to be the flashlight from a cellular smart phone and shining it toward the entrance to the CDC. The video clearly shows the SUV, which was later identified as a black Jeep Cherokee bearing Texas license plate PMZ-0448. The vehicle was being driven by a white male with dark colored hair. After approximately 30 seconds, the Jeep Cherokee departed from camera view.

15. The following is a still frame from surveillance footage on October 28, 2021, showing the black Jeep Cherokee bearing Texas license plate PMZ-0448:



16. The following is a still frame from surveillance footage on October 31, 2021, showing the dark colored SUV in the Synagogue's parking lot:



17. Texas Department of Motor Vehicle Records showed that the black Jeep Cherokee bearing Texas license plate PMZ-0448 was a 2021 Jeep Cherokee registered to a person believed to be a relative of Defendant at a residence in San Marcos, Texas. Further investigation indicated that Defendant resided at the same residence.

18. On November 8, 9, and 10, 2021, a FBI surveillance team observed Defendant driving the 2021 Jeep Cherokee bearing Texas license plate PMZ-0448, including to and from Texas State University in San Marcos, Texas, where Defendant attends classes. Agents believe he matched the person seen in the October 31 Synagogue surveillance video.

19. On November 10, 2021, FBI executed federal search warrants issued by this Court authorizing the search of and seizure of evidence from Defendant's residence in San Marcos, Texas, the 2021 Jeep Cherokee motor vehicle, and Defendant's person.

20. During the execution of the search warrants, investigators found, among other things, clothes consistent with the clothes Defendant was seen wearing on the October 31 surveillance videos during the commission of the arson, including green utility pants, and work boots.

21. During the searches, agents also recovered an American Express card bearing an account number ending in 2036 in a wallet both of which, according to a person interviewed at the residence, belonged to Defendant. Investigation revealed that on or about September 6, 2021, an American Express card bearing an account number ending in 2036 was used at Cabela's sporting goods store in Buda, Texas, to purchase a green five-gallon VP Racing Fuel utility jug.

22. During the search of the Jeep Cherokee, agents recovered the following items: three 33oz glass bottles, three 32oz bottles of lighter fluid, a lighter and an orange storm proof match case with matches. Based on my training and experience, and that of other agents knowledgeable about explosive devices, these items are consistent with materials that can be used and combined to produce destructive devices known as Molotov cocktails.

23. Also found in the Jeep Cherokee vehicle used by Defendant were three stickers, shown in the following photograph, along with three of the aforementioned 33oz glass bottles:



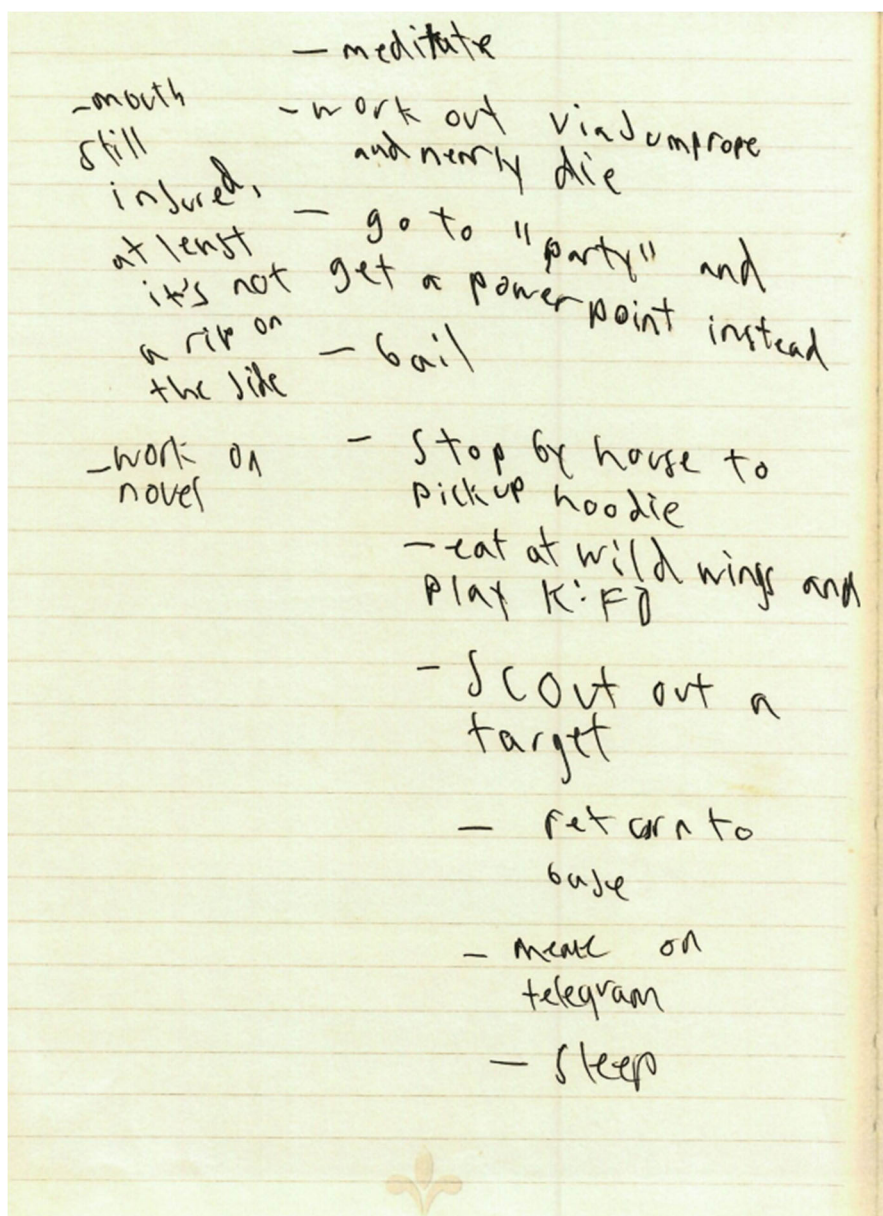
24. During the search of the residence, inside a vehicle parked in the garage (not the 2021 Jeep Cherokee), agents recovered a 2021 planning calendar. In the date boxes for August 19 and 20, in handwriting identified by a person interviewed at the residence as belonging to Defendant, was the phrase “Nigger-appreciation class.” The following is a picture of this planning calendar entry:



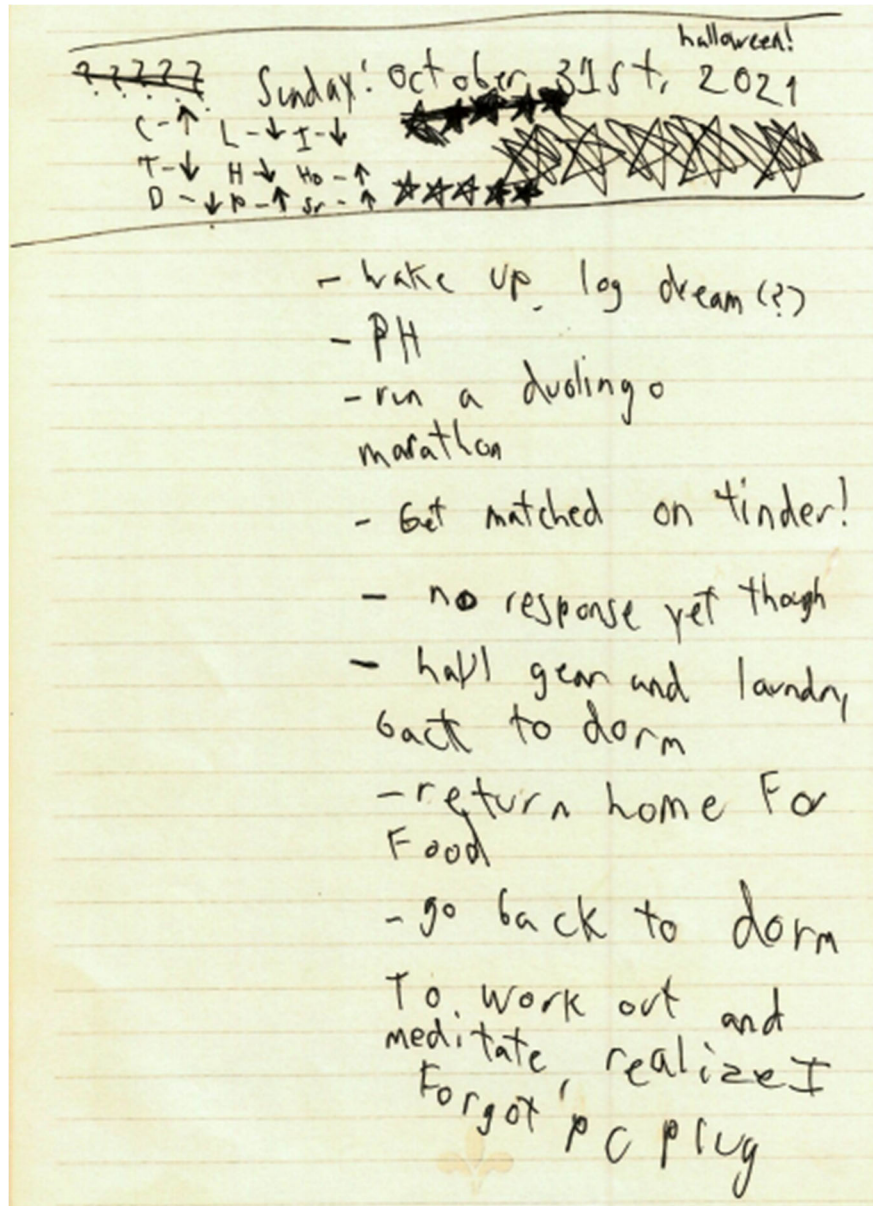
25. Agents also recovered journals, confirmed by a person interviewed at the residence as belonging to Defendant and in his handwriting, containing statements believed to relate to

Defendant's preparation for the arson, his commission of the arson at the Synagogue on October 31, and his subsequent effort in tracking law enforcement's investigation of the arson.

26. An excerpt from Defendant's journal dated October 28, 2021, depicted below, contains the phrase "scout out a target," which comports with the activities seen on Synagogue video surveillance from October 28:

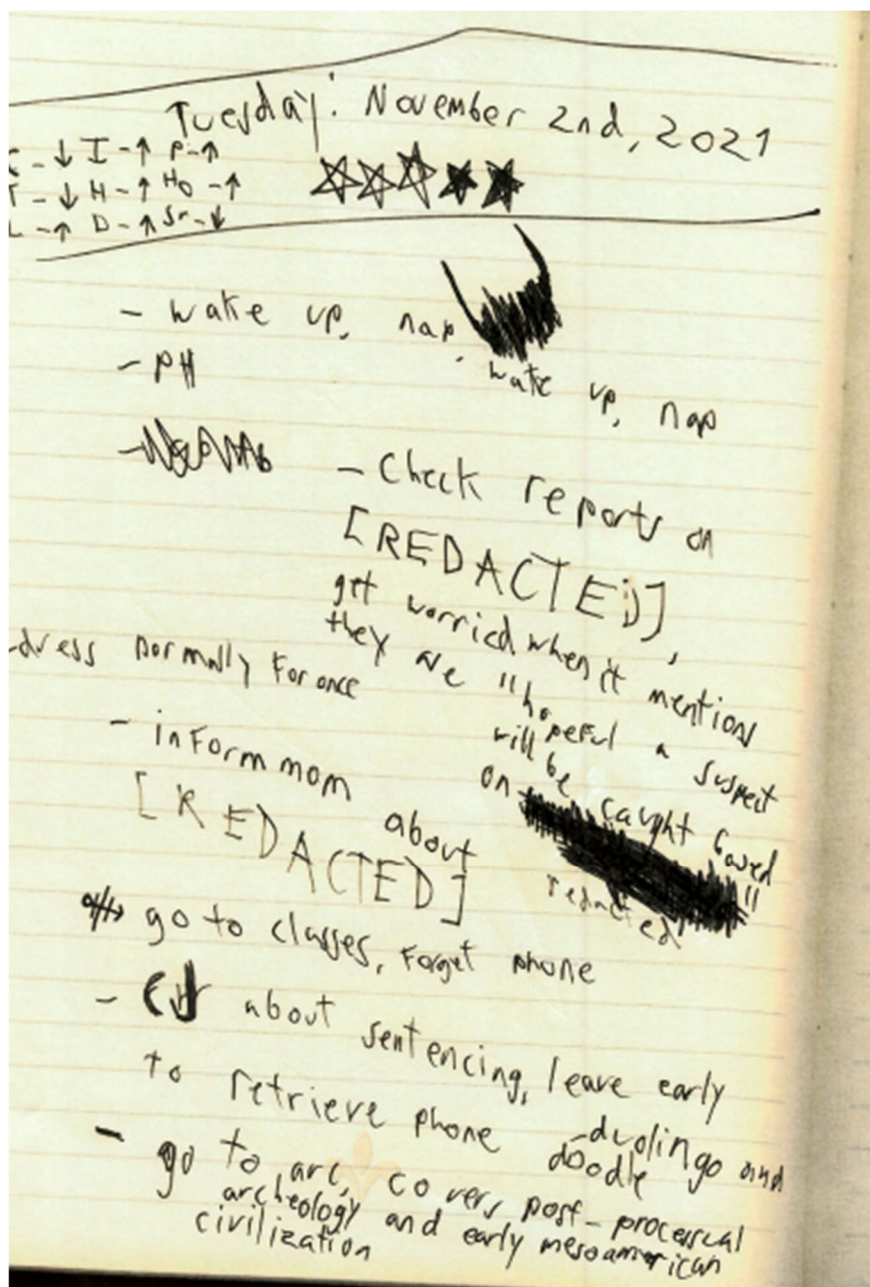


27. A two-page excerpt from Defendant's journal dated October 31, 2021, depicted below, includes the statement "I set a synagogue on fire":



- go home. scare off kids
with alien mark
- work on novel
- go to wild wings, food isn't
great
- pay cash ^{score \$25,000\$} for [Redacted]
- piss myself
- [Redacted] a [Redacted]
- nearly crash my car,
- actually crash it w
well
- too clumsy to [Redacted]
- I set a synagogue on fire
- return to dorm, give man
the deets
modified

28. An excerpt from Defendant's journal dated November 02, 2021, depicted below, appears to indicate that Defendant was tracking the progress of the investigation from media reports:



29. Investigation has determined that the fire set by Defendant caused damage to the real property of the Synagogue in excess of \$25,000 and was capable of destroying a building by means of fire.

30. The building comprising the burned portion of the Synagogue is used in interstate commerce and used in activities affecting interstate commerce. In particular, as noted above, the Synagogue operates the CDC, which is structurally connected to the Synagogue building that was set on fire. According to the CDC's webpage on the Synagogue's website, <https://www.bethisrael.org/cdcatcbi.html> (last visited November 12, 2021), the CDC operates preschool programs, charges tuition for its programs, and is open to both members and non-members of the Synagogue.

Conclusion

31. Based on the foregoing, there is probable cause to believe that FRANKLIN BARRETT SECHRIEST has committed the offense(s) set forth in the attached Criminal Complaint.

FURTHER AFFIANT SAYETH NAUGHT.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.



THOMAS P. JOY, JR.
Special Agent
Federal Bureau of Investigation
Austin, Texas

Sworn to me by telephone under Rule 4.1 of the Federal Rules of Criminal Procedure on this 12th day of November, 2021.



UNITED STATES MAGISTRATE JUDGE